



Charlotte City Council  
Neighborhood Development Committee  
Meeting Summary  
September 18, 2019

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### COMMITTEE AGENDA TOPICS

- I. City of Charlotte's Minimum Standards of Housing Code Sections (Vote)

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### COMMITTEE INFORMATION

**Committee Members Present:** Justin Harlow (Chair), Braxton Winston (Vice Chair), Edmund Driggs, Matt Newton

**Staff Resources:** Sabrina Joy-Hogg, City Manager's Office

**Meeting Duration:** 12:14 p.m. – 1:36 p.m.

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### ATTACHMENTS

1. Agenda
2. Presentations and Handouts

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### DISCUSSION HIGHLIGHTS

The meeting was opened by Chairman Justin Harlow. The intent of the meeting was to review proposed Minimum Standards of Housing Code changes based on stakeholder feedback and input from council members, with the prospect of a vote for a referral to the full Council. Chairman Harlow reminded the Committee that there was not a July meeting and the August meeting was set aside to continue meeting with stakeholders and other groups to permit input and review the suggested changes to the Minimum Housing Code.

Deputy City Manager Sabrina Joy-Hogg stated that the revisions to the Minimum Standards of Housing Code is the only outstanding agenda item for the Committee. She explained that Code Enforcement staff has had additional engagement sessions and with consideration to those meetings, they were prepared to present revised recommendations.

Jane Taillon, Code Enforcement Operations Manager, presented on the Minimum Housing Code Regulations. Jane provided an overview of Code Enforcement and the Housing Code. She also provided:

- a recap of the minimum housing code review;
- an update on community engagement;
- activities conducted since the last Committee meeting; and
- recommended changes to the ordinance.

Jane informed the Committee that Code Enforcement gets their authority from North Carolina General Statutes, which allows Code Enforcement to implement local ordinances. There are four specific ordinances that Code

Enforcement enforces for the city. These are Housing, Health and Sanitation, Zoning, and Non-Residential Building Codes. The charge and proposed ordinance changes being discussed are all specific to the Housing Ordinance.

In March 2019, the Neighborhood Development Committee was charged with identifying updates needed to strengthen the current code, revise potential conflicting language, address enforcement issues to better align with federal legislation and best practices, and to identify any potential state legislative modifications or additions. Jane described the current process when a complaint is received, as well as what an inspection entails. Jane emphasized that Code Enforcement works with tenants and property owners throughout the process by connecting them to appropriate resources, as needed.

Approximately 95 percent of complaints received are tenant complaints. Code Enforcement does try to get voluntary access to units, however, if a tenant or owner does not permit it after three attempts, they can either close the case or obtain an administrative warrant to enter a structure to inspect it for violations. An access letter, door hangers and notification letters are part of the administrative process with tenants and owners. If an individual filing a complaint does not reside in the unit or community, a petition with five signatures is required.

The Community Engagement feedback themes were around civil penalties, process, tenants' roles and how to address mold. There was support for conducting a Multi-Family Inspection Program. The tenant feedback themes Jane noted were also in support for air conditioning considerations to be added to the code and suggested that if one unit in a building has a roach infestation issue, all units in the building should be treated.

Ms. Taillon noted that meetings with industry groups and housing advocates on August 19 resulted in changes to previously recommend revisions and a positive sense that this process was headed in a good direction.

#### **Proposed Process Enhancements**

- Multifamily enhanced rental inspections for a complex based on certain criteria on a comprehensive assessment. This is not required by ordinance. Code Enforcement can move forward with implementing the program. There will be a percent threshold within a specified time period established which, if exceeded, will require the enhanced rental inspections. The process may also be initiated based on the severity of the complaint.
- Update the Code Enforcement website to include a link to Community Relations "When You Rent" tenants' rights publications so that individuals know where resources are and are able to educate themselves.
- Increase access to information regarding the city's role in mold enforcement, as well as providing links to "When You Rent" tenants' rights publication, the Health Department, EPA.gov and other related agencies as applicable. Dr. Gibbie Harris, Mecklenburg County Public Health Director was acknowledged in the audience.

#### **Recommendations to Update the Minimum Housing Code**

- For civil penalties, a fine of \$100 per day/per unit beginning the day after non-compliance for single and multi-family units. These fines would not be levied against owner-occupied units. Conversations with the Real Estate and Building Industry Coalition (REBIC) and Equitable Communities were factored into the current recommendations.
- There are 22 proposed changes to the Ordinance. Some are for clarification, however those that are specific to standards of fitness are:

Ordinance Section	Summary of Recommendations
Sec. 11-77. Space and Use	Addresses condition of all interior doors and door hardware
Sec. 11-78. Light and Ventilation	Clarifies that windows must be glass only; adds new provision for kitchen exhausts and clothes dryer vents
Sec. 11-80. Plumbing	Requires an adequate and safe water heater; requires kitchen/bath fixtures be operational and installed to eliminate water intrusion
Sec. 11-81. Heating Facilities	Clarifies that portable heaters of any kind may be considered supplemental heat source only
Sec. 11-83. Structural	Provides clarity and improves enforcement of various structural features (foundations, interior walls, ceilings, roofs, porches)
Sec. 11-84. Property Maintenance	Improves enforcement as it relates to cabinetry and clothes dryers
New Provision – Air Conditioning	New provision to require existing cooling system to be operational and maintained

Hope Root, Senior Deputy City Attorney, spoke to the city and county's role as relates enforcement of the State Building Code regarding mold. Code Enforcement addresses the causal factors such as moisture and ventilation.

**MOTION and VOTE:** Council member Driggs made a motion and was seconded by Council member Harlow to forward the proposed changes to the Minimum Standards of Housing Code to the full Council for review and approval. The motion passed 3-1 (For - Harlow, Driggs, Newton, Against - Winston).

The committee feedback included:

1. Strengthen the Minimum Housing Code to prevent a future Lake Arbor.
2. Move forward with what has been presented and amend as necessary for items that may develop that are not covered by the recommendations.

Additional information was requested for the following items:

1. Explore whether the city can require a landlord to provide a copy of the When You Rent manual at lease signings to ensure that those who don't use the website still have the information.
2. Consider escalating penalties for owners that defy the ordinance.

If there is are no additional referrals to the Committee, there will not be an October Neighborhood Development Council meeting.

Meeting adjourned at 1:36 p.m.